

Russell Todd Leff  
Pro Se, Plaintiff  
5004 Walbrook Lane  
Las Vegas, Nevada 89148

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Russell Todd Leff	)	CASE NO: 2:14-cv-02001-GMN-CWH
	)	
Pro Se, <i>Plaintiff</i>	)	
	)	
BANK OF NEW YORK MELLON	)	MOTION OF PLANITIFF
AND	)	FOR
	)	45-DAY EXTENSION
SELECT PORTFOLIO SERVICING, INC.	)	TO FILE PLAINTIFF'S
AND	)	RESPONSE TO DEFENDANTS'
	)	MOTION TO DISMISS
NATIONAL DEFAULT SERVICING	)	WITH PREJUDICE
CORPORATION	)	
	)	
<i>Defendants</i>	)	FIRST REQUEST

**MOTION OF PRO SE PLAINTIFF FOR A 45-DAY EXTENSION**

Pursuant to the Federal Rules of Civil Procedure the Pro se Plaintiff, Russell Leff respectfully requests a 45-day extension of time, to and including May 4, 2015 to file the response to the

**MOTION 45-DAY EXTENSION**

1 Defendant's 17-page Motion to Dismiss Plaintiff's Complaint with Prejudice and to further  
2 respond to the Defendant's approximately 70-page request for this Court's Judicial Notice.

3  
4 POINTS AND AUTHORITIES

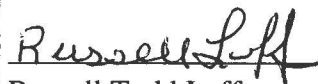
- 5 1. Plaintiff, proceeding pro se, brought this action challenging the guilt of the Defendants  
6 for the violations of the Fair Debt Collection Act and for Extortion resulting in damages:  
7 Violations have occurred in the Fair Debt Collection Practices Act, 15 U.S.C. §1692, et  
8 seq. and the Fair Credit Reporting Act, 15 U.S.C. §1681, et seq. Further, this case has  
9 already been litigated pursuant to District Court Judge Thompson's ruling of ordered  
10 mediation, in which, subsequently the Defendants rescinded the default action because  
11 there was no valid indebtedness and /or money owed, thus, *collateral estoppel and res*  
12 *judicata*, preclude re-litigation of this same matter.  
13  
14
- 15 2. The Plaintiff's opposition brief is currently due fourteen (14) days from the date of the  
16 Minute Order signed by Chief Judge Gloria M. Navarro on 3/6/2015.  
17
- 18 3. An additional a 45-day extension of time, to and including May 4, 2015 to file the  
19 response to the Defendant's 17-page Motion to Dismiss Plaintiff's Complaint with  
20 Prejudice and to further respond to the Defendant's approximately 70-page request for  
21 this Court's Judicial Notice is necessary to ensure adequate time to prepare and file the  
22 Plaintiff's response. Preparation of the brief requires the reading of the Defendant's 17-  
23 page very complex Motion and review of the extensive number of exhibits.  
24
- 25 4. The Plaintiff's education from college was in the field of engineering at the Junior  
26 College level. The Plaintiff does not have any specific education beyond the Junior  
27 College level or any advanced degrees beyond that specific Junior College level. In fact,  
28 the Plaintiff has absolutely no formal legal education or any courses related to the

1 preparation of legal papers. Consequently, because the response by the Defendants'  
 2 Motion contained approximately 90 pages of exhibits and there are substantially many  
 3 case laws that the Defendants have applied as their rebuttal argument which were  
 4 included in their Motion; there needs to be thorough research conducted. Further, the  
 5 response to the Motion to Dismiss may have life altering consequences for the Plaintiff  
 6 who is presently unemployed; i.e., the very real possibility the Pro Se Plaintiff may  
 7 become "homeless."  
 8

### 9 CONCLUSION

- 10
- 11 5. This Pro Se Plaintiff prays that this Honorable Court will recognize that the Plaintiff  
 12 needs additional time to address the merits and conduct an analysis of the exhibits of the  
 13 Defendant's Motion to Dismiss with Prejudice. FRCP - EXTENDING TIME: the court  
 14 may, for good cause, extend the time.  
 15
- 16 6. This Pro Se Plaintiff prays that this Honorable Court will grant the 45-day extension of  
 17 time because the extension of time does not substantially impact upon the Defendant  
 18 Corporations.  
 19
- 20 7. The opposing counsel has not been contacted.  
 21
- 22 8. I swear under penalty of perjury that the preceding is true and correct.

23 Respectfully Submitted:

24 

25 Russell Todd Leff

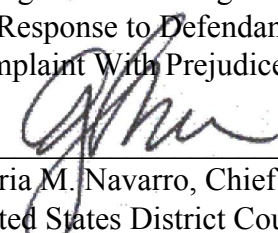
26 Pro Se, Plaintiff

27 5004 Walbrook Lane

28 Las Vegas, Nevada 89148

DATED 3-13-15

**IT IS HEREBY ORDERED** that Plaintiff shall have  
 through and including **Monday, May 11, 2015** to file  
 his Response to Defendant's Motion to Dismiss  
 Complaint With Prejudice (ECF No. 3).

  
 3 Gloria M. Navarro, Chief Judge  
 United States District Court

**DATED: 03/25/2015**